

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

CHEVRON CORPORATION,	x : : :
Plaintiff,	: : :
v.	11 Civ. 0691 (LAK) : :
STEVEN DONZIGER, et al.,	: : :
Defendants.	x

**DECLARATION OF ANNE CHAMPION IN SUPPORT OF CHEVRON
CORPORATION'S BRIEF IN SUPPORT OF ITS PROPOSED FORENSIC PROTOCOL**

I, ANNE CHAMPION, hereby declare under penalty of perjury pursuant to 28 U.S.C.

§ 1746, that the following is true and correct:

1. I am an attorney licensed to practice law in the State of New York and before this Court. I am a partner in the law firm of Gibson, Dunn & Crutcher LLP, and I am counsel for Chevron Corporation (“Chevron”) in the above-captioned matter. I am personally familiar with the facts set forth herein, unless the context indicates otherwise. I make this declaration in support of Chevron’s Motion to Adopt Its Protocol to Search and Image Donziger’s Electronic Devices.

2. Attached to this declaration as **Exhibit 1** is a true and correct copy of an email dated November 6, 2017 from Aaron Marr Page to Steven Donziger and others and bearing Bates numbers MKS-0000090–0094. The email discusses the impending meeting with Elliott Management and Donziger instructs everyone on the email chain to “delete all emails related to this.”

3. Attached to this declaration as **Exhibit 2** are excerpts from a true and correct copy of the transcript of the deposition of Steven Donziger on June 25, 2018.

4. Attached to this declaration as **Exhibit 3** is a true and correct copy of an email chain dated January 31, 2018 between Katie Sullivan and John van Merkensteijn, produced by Mr. van Merkensteijn and bearing Bates numbers JVM 006399–407. Sullivan writes that Donziger “likes to communicate on WhatsApp.”

5. Attached to this declaration as **Exhibit 4** is a true and correct copy of a document and a certified translation thereof, titled “DURABLE INTERNATIONAL POWER OF ATTORNEY and AGREEMENT FOR THE CONTINUOUS INVESTMENT OF PROFESSIONAL SERVICES,” dated November 1, 2017, between Steven Donziger and the Amazon Defense Front (FDA), produced by S. Donziger and bearing Bates numbers DONZPJD-0000019–27. Under the agreement, the FDA “irrevocably acknowledges, confirms and undertakes to support Mr. DONZIGER’S existing contractual INTEREST . . . and/or hereby grants Mr. DONZIGER an INTEREST in his own right equal to his existing contractual interest.”

6. Attached to this declaration as **Exhibit 5** are excerpts from a true and correct copy of the transcript of the Contempt Hearing on May 8, 2018.

7. Attached to this declaration as **Exhibit 6** is a true and correct copy of an email chain dated December 22, 2018 between John van Merkensteijn and Dr. David Zelman, produced by Mr. van Merkensteijn and bearing Bates numbers JVM 011236–37. Dr. Zelman forwards a December 21, 2018, email from Donziger wherein Donziger offered Dr. Zelman a portion of his interest in the Ecuadorian Judgment in return for \$14,000 of “consulting services” meant “to develop “Donziger’s professional capacities.”

8. Attached to this declaration as **Exhibit 7** is a true and correct copy of an email chain dated September 9, 2016 between Steven Donziger and John van Merkensteijn, produced by Mr. van Merkensteijn and bearing Bates number JVM 003447, in which Donziger asks van Merkensteijn to “send an instruction to Alan Lenczner, via email, that 50% of the investor funds

under the Agreement received by his law firm are to be forwarded [to] Steven R. Donziger for expenses related to the Ecuador.”

9. Attached to this declaration as **Exhibit 8** is a true and correct copy of an email dated December 17, 2016 from Steven Donziger to John van Merkensteijn, produced by Mr. van Merkensteijn and bearing Bates number JVM 003276, in which Donziger asks van Merkensteijn to send an instruction to Alan Lenczner asking that Lenczner “allocate \$65,000 of the \$95,000 investment from ENTITY to the law firm of Steven Donziger for expenses related to work on the Ecuador environmental case against Chevron.”

10. Attached to this declaration as **Exhibit 9** is a true and correct copy of a document produced by Marie K. Sullivan and bearing Bates numbers MKS-0006682–6686. Beginning at MKS-0006685 is a letter from Alan Lenczner to Steven Donziger dated November 11, 2016 summarizing investment agreements, monies received by the Lenczner firm pursuant to those agreements and monies remitted to Donziger out of those funds.

11. Attached to this declaration as **Exhibit 10** is a true and correct copy of an email dated December 7, 2016 from Michael Ben-Jacob (Kaye Scholer LLP), counsel to John van Merkensteijn, to Alan Lenczner, copying van Merkensteijn and Steven Donziger, produced by Mr. van Merkensteijn and bearing Bates number JVM 002498. Ben-Jacob writes, “This confirms that Steven is authorized to give instructions to you regarding the allocation and disbursement of funds to counsel to pay legal fees.”

12. Attached to this declaration as **Exhibit 11** is a true and correct copy of an email chain dated July 27, 2017 between John van Merkensteijn and Steven Donziger, produced by Mr. van Merkensteijn and bearing Bates numbers JVM 011444–45. Donziger refers to a potential investor as “Mr. Brussels.”

13. Attached to this declaration as **Exhibit 12** is a true and correct copy of an email chain dated August 26, 2017 between John van Merkensteijn and Steven Donziger, produced by Mr. van Merkensteijn and bearing Bates number JVM 009414. Donziger refers to a potential investor as “hong kong guy.”

14. Attached to this declaration as **Exhibit 13** is a true and correct copy of an email chain dated July 26, 2017 between John van Merkensteijn and Steven Donziger, copying Ian Watson, produced by Mr. van Merkensteijn and bearing Bates number JVM 011443. Donziger refers to a potential investor as “Hong Kong person.”

15. Attached to this declaration as **Exhibit 14** is a true and correct copy of an email dated December 19, 2017 from John van Merkensteijn to Bill Twist, produced by Mr. van Merkensteijn and bearing Bates number JVM 008424. van Merkensteijn tells Twist that using Bitcoin “could be useful for investors in the Chevron litigation so that their names would not be disclosed.”

16. Attached to this declaration as **Exhibit 15** is a true and correct copy of an email chain dated December 19, 2017 between John van Merkensteijn and Bill Twist, produced by Mr. van Merkensteijn and bearing Bates number JVM 011498. Twist writes that the purpose of using Bitcoin would be to “shield investor’s identity.”

17. Attached to this declaration as **Exhibit 16** is a true and correct copy of an email chain dated October 25, 2018 between Steven Donziger, Anne Champion and Andrea Neuman. Donziger fails to respond to Chevron’s counsel’s question of whether he has disposed of any Devices.

Executed on this 29th day of October, 2018 at New York, New York.

/s/ *Anne Champion*

Anne Champion